

Express Mailing Label No. EV 657 811 245 US

PATENT APPLICATION
Docket No. 14113.3.2.2



Is re application of

Michael R. Ohran

Serial No.: 09/892,161

) Art Unit
) 3624

Filed: June 26, 2001

For: MIRRORING NETWORK DATA TO ESTABLISH
VIRTUAL STORAGE AREA NETWORK

Confirmation No.: 4716

Examiner: Ella Colbert

AMENDMENT "B" AND RESPONSE TO OFFICE ACTION

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

07/22/2005 TNCBRI 00000003 153178 09/892,161 This communication is in response to Examiner's Office Action mailed March 14, 2005

01 FC:1202 550-00-DA (the "Office Action"). Reconsideration is respectfully requested in view of the following
amendments and remarks.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of
this paper.

Remarks/Arguments begin on page 16 of this paper.

17-19, 21-22, and 29-39 be withdrawn at least due to their dependency from an allowable independent claim.

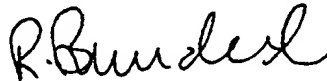
The Office Action rejects claims 23-27 under 35 U.S.C. § 103(a) as being unpatentable over *Rollins et al* (WO 95/00906) and *Major et al* (U.S. Patent No. 5,157,663) in view of *Kenley et al*. (U.S. Patent No. 5,276,867). Applicants respectfully traverse this rejection in view of the following remarks. Claims 23-27 are each dependant on independent claim 20. At least for the reasons given above, claim 20 is allowable. Therefore, Applicants respectfully request that the rejection of claims 23-27 under 35 U.S.C. § 103(a) be with drawn.

The Applicant also points out that several of the claims have been amended to promote clarity, to provide terminology that is consistent with that of the base claims, and for other reasons that are not related to either responding to a rejection of the claims or distinguishing from cited art.

In view of the foregoing, Applicants respectfully submit that claims 1-7 and 8-39 are in condition for allowance. In the event that the Examiner finds remaining impediments to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 29th day of June, 2005.

Respectfully submitted,



R. BURNS ISRAELSEN
Attorney for Applicant
Registration No. 42,685
Customer No. 022913
Telephone No. (801) 533-9800

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
14113.3.2.2

Total Pages in this Submission
6

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	27	- 20 =	7	x \$18.00	\$126.00
Indep. Claims	4	- 3 =	1	x \$80.00	\$80.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$710.00
OTHER FEE (specify purpose) <u>Assignment Recordation Fee</u>					\$40.00
TOTAL FILING FEE					\$956.00

☒ PTO-2038 Credit Card

Payment Form \$956.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below. A duplicate copy of this sheet is enclosed.

- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

R. Burns Israelsen
Signature

R. Burns Israelsen
Attorney for Applicant
Registration No.: 42,685

Dated: June 26, 2001



022913

cc:

PATENT TRADEMARK OFFICE